

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 6599 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE M.H.KADRI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? No.
2. To be referred to the Reporter or not? No.

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3. Whether Their Lordships wish to see the fair copy of the judgement? No.
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? No.
5. Whether it is to be circulated to the Civil Judge? No.

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B C DARUWALA, REGIONAL MANAGER

Versus

STATE OF GUJARAT

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Appearance:

MR BS PATEL for Petitioners  
MR. P.B. BHATT, A.P.P. for Respondent No. 1  
M/S THAKKAR ASSOC. for Respondent No. 2

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CORAM : MR.JUSTICE M.H.KADRI

Date of decision: 29/01/98

ORAL JUDGEMENT

Rule. Mr. P.B. Bhatt, Learned A.P.P. waives service of rule on behalf of the respondent no. 1. M/s. Thakkar Associates waives service of rule on behalf of the respondent no. 2.

2. The petitioners have filed this application u/s 482 of the Code of Criminal Procedure to quash the criminal complaint which is filed and registered as Criminal Case No. 283 of 1997 in the Court of learned J.M.F.C., Botad.

3. The notice was issued to the respondents and pursuant to the notice learned advocate M/s. Thakkar Associates has appeared in the above application.

4. Today when the matter is called out, Mr. B.S. Patel learned advocate for the petitioners has tendered Demand Draft bearing No. 009505 dated 16-1-1998 drawn in favour of Milan Auto Parts, issued by Central Bank of India, Paldi, Ahmedabad. The xerox copy of the said Demand Draft is taken on record. Learned Advocate Mr. B.S. Patel has handed over the aforesaid draft to M/s. Thakkar Associates who is appearing for the respondent no. 2.

5. The dispute involved in this application is with respect to the amount of Rs. 37,500/- which is already tendered by the aforesaid Demand Draft to the learned advocate for the respondent no. 2. As the dispute is amicably settled between the petitioners and the respondent no. 2, this application does not survive and the same is disposed of accordingly.

6. M/s. Thakkar Associates who is appearing on behalf of the respondent no. 2 has made a statement at the Bar that the original complainant i.e. the respondent no. 2 shall withdraw the complaint which is registered as Criminal Case No. 283 of 1997 pending in the Court of learned J.M.F.C., Botad within a period of two weeks.

7. In view of this statement made at the Bar by the learned advocate for the respondent no. 2 M/s. Thakkar Associates, this application does not survive and it stands disposed of accordingly. Rule is discharged.